

Docket: 2484 CON 9
(203-3456 CON 9)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas J. Fogarty, et al

Serial No: 10/790,373

Filed: 3/01/2004

Examiner: Kevin Thao Truong

Group Art Unit: 3731

For: **METHODS AND DEVICES FOR BLOOD VESSEL HARVESTING**

BOX RCE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.97 (b) FILED IN CONNECTION WITH
REQUEST FOR CONTINUED EXAMINATION**

In accordance with Applicant's duty of disclosure under 37 C.F.R. §1.56, Applicant(s) submit the enclosed PTO Form 1449 listing reference(s) for the Examiner's consideration under 37 C.F.R. 1.97 (b). Applicant(s) have received a Notice of Allowance, but have not paid the issue fee. This supplemental information disclosure statement is being submitted with a Request for Continued Examination.

It is respectfully requested that this information disclosure statement and the reference (WO 94/21177) enclosed and listed on Form PTO-1449 be considered and made of record therein. This submission is believed to be in compliance with 37 C.F.R. §1.97 and 37 C.F.R. §1.98.

The citation of the listed item(s) is not a representation that a search has been made, or that it constitutes a complete or exhaustive listing of prior art, or that any item listed constitutes prior art. The item(s) listed is/are submitted in good faith, but is/are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner, it will assist the Examiner in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- (X) This information disclosure statement is being filed before the mailing of the first Office Action, with or after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.
- () This information disclosure statement is being filed within three (3) months of the filing date of this application.

- () This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- () To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action in connection with this case.
- () Enclosed is a certificate under 37 C.F.R. §1.97 (e)(i).
- () Enclosed is a petition under 37 C.F.R. §1.97 (d).
- () Please charge the petition fee of \$130.00 required under 37 C.F.R. §1.17 (i)(1) to Deposit Account No. 21-0550.
- () As set forth in 37 C.F.R. §1.97 (c), to the best of Applicant(s) knowledge, this information disclosure statement is being filed before either the mailing of a final action under 37 C.F.R. §1.113 or the mailing of a notice of allowance under 37 C.F.R. §1.113, and is accompanied by the \$240.00 fee as provided for in 37 C.F.R. §1.17(p).
- () As set forth in 37 C.F.R. 1.97 (e) (1): That each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- () Please charge the \$240.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.
- (X) Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 37 C.F.R. §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend time as required and charge Deposit Account No. 21-0550 therefor. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

Early and favorable consideration of this application is respectfully requested.

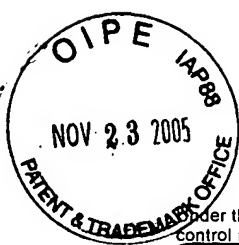
Dated: _____

11/21/05

Michael D. Switzer

Michael D. Switzer
Reg. No. 39,552
Attorney for the Applicants

United States Surgical, a division of
TYCO HEALTHCARE GROUP LP
150 Glover Avenue
Norwalk, CT 06856
(203) 845-1480



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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 1 of 1		Complete if Known	
		Application Number	10/790,373
		Filing Date	3/01/2004
		First Named Inventor	Thomas J. Fogarty et al
		Art Unit	3731
		Examiner Name	Kevin Thao Truong
		Attorney Docket Number	2484CON9 (203-3456CON9)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 94/21177	9/29/1994			

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.